

AMENDED IN ASSEMBLY MARCH 28, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1718

Introduced by Assembly Member Hertzberg
(Coauthors: Assembly Members Kuehl, Longville,
Machado, Mazzoni, Steinberg, and Strom-Martin)

(Principal coauthor: Assembly Member Keeley)

(Coauthors: Assembly Members Aroner, Bock, Davis, Kuehl,
Longville, Machado, Maddox, Mazzoni, Steinberg,
Strom-Martin, and Washington)

(Coauthor: Senator Perata)

January 3, 2000

An act to add Section 13515.25 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1718, as amended, Hertzberg. Peace officers: advanced training: mental illness.

Existing law requires specified categories of law enforcement officers to meet training standards pursuant to courses of training certified by the Peace Officers Standards and Training (POST) program, including a basic training course for law enforcement officers containing an adequate instruction in the handling of persons with developmental disabilities or mental illness, or both, as specified.

This bill would require ~~every city police officer or deputy sheriff at a supervisory level or below who is assigned field or investigative duties to complete, every four years after being~~

~~assigned field or investigative duties, an advanced training course in the handling of persons with developmental disabilities or mental illness, or both, as specified. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions that, on or before June 30, 2001, POST establish and keep updated a continuing education classroom training course relating to law enforcement intervention with developmentally disabled and mentally ill persons and that the course be developed in consultation with specified groups and entities.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes no.~~

The people of the State of California do enact as follows:

1 SECTION 1. Section 13515.25 is added to the Penal
 2 Code, to read:
 3 13515.25. ~~Every city police officer or deputy sheriff at~~
 4 ~~a supervisory level or below who is assigned field or~~
 5 ~~investigative duties shall, every four years after being~~
 6 ~~assigned field or investigative duties, complete an~~
 7 ~~advanced training course in the handling of persons with~~
 8 ~~developmental disabilities or mental illness, or both, that~~
 9 ~~is consistent with Section 13519.2 and is certified by the~~
 10 ~~Commission on Peace Officer Standards and Training.~~
 11 ~~Completion of the course may be satisfied by telecourse,~~
 12 ~~video training tape, or other instruction. The training~~
 13 ~~shall, at a minimum, address relevant laws, mental~~
 14 ~~disabilities, behavior indicators, confrontation resolution,~~

~~and any other topics specified in subdivision (b) of Section 13519.2.~~

~~SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.~~

13515.25. (a) The Commission on Peace Officer Standards and Training shall, on or before June 30, 2001, establish and keep updated a continuing education classroom training course relating to law enforcement interaction with developmentally disabled and mentally ill persons. The training course shall be developed by the commission in consultation with appropriate community, local and state organizations, and agencies that have expertise in the area of mental illness and developmental disability and with appropriate consumer and family advocate groups. In developing the course, the commission shall also examine existing courses certified by the commission that relate to mentally ill and developmentally disabled persons. The commission shall make the course available to law enforcement agencies in California.

(b) The course described in subdivision (a) shall consist of classroom instruction and shall utilize role-playing and the development of scenarios to simulate actual situations. The course shall include, at a minimum, core instruction in all of the following:

(1) The cause and nature of mental illnesses and developmental disabilities.

(2) How to identify indicators of mental illness and developmental disability and how to respond appropriately in a variety of common situations.

1 (3) Conflict resolution and de-escalation techniques
2 for potentially dangerous situations involving mentally ill
3 and developmentally disabled persons.

4 (4) Appropriate language usage when interacting
5 with mentally ill and developmentally disabled persons.

6 (5) Alternatives to lethal force when interacting with
7 potentially dangerous mentally ill and developmentally
8 disabled persons.

9 (6) Community and state resources available to serve
10 mentally ill and developmentally disabled persons and
11 how these resources can be best utilized by law
12 enforcement to benefit the mentally ill and
13 developmentally disabled community.

14 (d) The commission shall submit a report to the
15 Legislature by July 1, 2002, that shall include all of the
16 following:

17 (1) A description of the process by which the course
18 was established, including a list of the agencies and groups
19 that were consulted.

20 (2) Information on the number of law enforcement
21 agencies that utilized and the number of officers that
22 attended the course or other courses certified by the
23 commission relating to mentally ill and developmentally
24 disabled persons from July 1, 2001, to July 1, 2002,
25 inclusive.

26 (3) Information on the number of law enforcement
27 agencies that utilized and the number of officers that
28 attended courses certified by the commission relating to
29 mentally ill and developmentally disabled persons from
30 July 1, 2000, to July 1, 2001, inclusive.

31 (e) The Legislature encourages law enforcement
32 agencies to include the course created in this section or
33 any other course certified by the commission relating to
34 mentally ill and developmentally disabled persons as part
35 of their advanced officer training program.

36 (f) It is the intent of the Legislature to reevaluate, on
37 the basis of its review of the report required in subdivision
38 (d), the extent to which law enforcement officers are

- 1 *receiving adequate training in how to interact with*
- 2 *mentally ill and developmentally disabled persons.*

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